

Appl. No. 09/587,403
Amdt. Dated October 10, 2006
Reply to final Office Action of April 10, 2006

Attorney Docket No. 81866.0025
Customer No.: 26021

REMARKS

This is in response to the final Office Action dated April 10, 2006. Applicant files with this paper a petition for one month extension of the period for response and a request for continued examination. Applicant files this response rather than pursue the appeal initiated by the notice of appeal of July 10, 2006. Reexamination and prompt favorable action are respectfully requested.

The Section 112 Rejection of Claims 1 and 7 is Moot

The final Office Action rejected claims 1 and 7, the only independent claims pending in the application, as lacking support in the specification and so failing to meet the written description requirement of 35 U.S.C. § 112, ¶ 1. The rejection is respectfully traversed. Applicant has also amended claims 1 and 7 to more precisely track the language of the application. Should this rejection be maintained in a future application, applicant requests a more detailed explanation of the rejection. *See In re Alton*, 76 F.3d 1168, 1175-76, 37 USPQ2d 1578, 1583-85 (Fed. Cir. 1996).

The Application Fully Supports the "Authentication Checker" Limitation of Claim 7

Claim 7's "authentication checker" limitation is simpler than the authorization checker defined by claim 1 and applicant consequently discusses claim 7's recitation first. Claim 7 recites in part the presence of:

"an authentication checker that determines, in response to the identification information, if a contact identified for the active domain name has authorized the operator to make changes to information within the zone file for the active domain name."

As stated at page 8, lines 11-13, the domain manager initially checks if an agent "is authorized to use the domain manager and to make changes for that domain." If the system determines that the agent is not authorized, it seeks further authentication from the agent. In this process, the administrative contact can authorize the agent to make changes for the domain name and provide future authentication for the agent with respect to that domain name:

For agents not already recognized as authoritative, further authentication is preferably requested. Operators that are technical contacts or domain name administrators may enter a domain name to be managed and the domain manager issues a screen such as that illustrated in FIG. 4 to request further authentication. As shown in this example, the domain manager might inform the operator not already recognized as authoritative that the operator is asking to be recognized as the authoritative zone and technical contact of the indicated domain name. The screen of FIG. 4 indicates that authorization for the operator's request must be confirmed from the administrative contact for the domain name. The operator clicks on the appropriate button to indicate that the indicated action is desired. The domain manager sends e-mail to the administrative contact for the domain name and waits for confirmation from the administrative contact that authorization is proper. Upon authorization, the domain manager recognizes the operator as the authoritative zone and technical contact for that domain name.

Application at page 9.

Once this further authentication process is completed, the domain manager will automatically recognize the agent as having authorization to make changes to

the domain name: "An agent is also preferably recognized as authoritative when the agent has previously accessed the domain manager and received authentication for that particular domain name." Application at 8.

Consequently, the application provides a written description of the "authentication checker" limitation of claim 7. That is, it is clear from the application that the applicant had possession of the "authentication checker" limitation of claim 7 at the time of filing of the application. *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d 1555, 1563, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991), *In re Alton*, 76 F.3d 1168, 1172, 37 USPQ2d 1578, 1580-81 (Fed. Cir. 1996). The final Office Action's section 112 rejection of claim 7 should be withdrawn.

The Application Fully Supports the "Authorization Checker" Limitation of Claim 1

Claim 1, as amended, recites in part the presence of:

"an authorization checker responsive to an input from the agent to check whether an administrative contact for the active domain name has identified to the domain management system that the agent is authorized to change information about the active domain name in the shared registry system and, if the agent lacks authority to change information about the active domain name in the shared registry system, the authorization checker generating a communication to the administrative contact to determine if the agent should be given authority to change information about the active domain name in the shared registry system."

The application provides a written description of claim 1's recitation of "an authorization checker responsive to an input from the agent to check whether an administrative contact for the active domain name has identified to the domain

management system that the agent is authorized to change information about the active domain name in the shared registry system” at pages 8 and 9. As discussed and quoted above (Application at 9), the application describes a procedure whereby an administrative contact can authorize an agent to make changes to domain name information. The application refers to this process as “further authentication.”

Once this process is complete, the agent is then authorized to take future actions. This is recorded in the domain manager so that authority is recognized in the future: “An agent is also preferably recognized as authoritative when the agent has previously accessed the domain manager and received authentication for that particular domain name.” Application at 8. This corresponds to what is recited in the first part of the “authorization checker” limitation of claim 1, with the administrative contact “identifying” that the identified agent is authorized through a return e-mail to the e-mail triggered by the FIG. 4 screen.

Of course, if that initial check (described at application page 8) indicates that the agent has not been earlier authorized, the “further authentication” procedure described at the top of page 9 of the application is performed to determine if the agent should be given the authority to make changes. This provides support to the second portion of claim 1’s “authentication checker” limitation: “if the agent lacks authority to change information about the active domain name in the shared registry system, the authorization checker generating a communication to the administrative contact to determine if the agent should be given authority to change information about the active domain name in the shared registry system.” The specific communication that is sent is the e-mail discussed at the top of page 9 and generated by the action of the screen of FIG. 4.

Consequently, the application provides a written description of the “authorization checker” limitation of claim 1. That is, it is clear from the

application that the applicant had possession of the “authorization checker” limitation of claim 1 at the time of filing of the application. *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d 1555, 1563, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991), *In re Alton*, 76 F.3d 1168, 1172, 37 USPQ2d 1578, 1580-81 (Fed. Cir. 1996). The final Office Action’s section 112 rejection of claim 1 should be withdrawn.

The Final Office Action Erred in Rejecting the Pending Claims as Unpatentable over the Waters Patent in View of the InterNIC Reference

None of the limitations of independent claims 1 and 7 is met by the cited references, whether taken alone or in combination. As an initial consideration, the Waters patent, U.S. Patent No. 6,564,216, does not describe anything about domain names or changing the information associated with domain names. The secondary “InterNIC reference” describes only a conventional process for the registrant to register and update domain name information. There is nothing about a domain management system that allows a registrant to designate an agent to accomplish domain name maintenance operations. There is nothing about a domain management system that can determine if an agent has been authorized by the administrative contact for a domain name to make changes to that domain name.

The final Office Action Failed to Address the “Authorization Checker” Limitation of Claim 1 or the “Authentication Checker” of Claim 7

The final Office Action did not address the “authorization checker” limitation of claim 1 or the “authentication checker” limitation of claim 7. This is most simply seen by the complete absence of any discussion of contacting the administrative contact for a domain name. As described in the application, the domain

management system may perform a Whois operation to identify from the shared registry system (or elsewhere) the administrative contact for the active domain name. To authenticate the rights of an agent, the administrative contact needs to communicate with the domain management system of the application. This is not described in the Waters patent, which is absolutely silent on domain names and so is equally silent with respect to administrative contacts for domain names. The InterNIC reference does not describe communicating with the administrative contact for a domain name and does not describe the administrative contact for a domain name authorizing an agent to make changes to information about the domain name within the shared registry system.

The Examiner previously agreed that the Waters patent does not teach anything about domain names. The InterNIC reference does not teach the authorization or authentication processes associated with the present invention. What is described in the InterNIC reference is a plan that allows the recognized contact for a domain name to make changes to the contact information or to make changes about a name server:

“To change information for the existing contact – the contact modifies his/her contact record using Contact Template

To change information about a name server – contact for the host uses Host Template to modify record” ...

“[T]he contacts listed on the Domain Name Registration Agreement are individuals or organizations who are authorized to act on behalf of a domain name’s registrant in matters related to the domain name.” InterNIC reference at 4.

The InterNIC reference makes it clear that only the recognized contact for a domain name is able to make changes to the domain name information. As noted above, the Waters patent does not teach anything about domain names and so does not teach anything about making changes to domain name information.

By contrast, the present application describes a system that allows an agent to act for a domain name registrant. The domain management system allows an administrative contact to authorize an agent to make changes to a domain name's zone information and other information. The domain management system may store authorization information so that the domain management system does not need to reauthorize an agent or operator that has earlier been authorized. Such a system is neither taught nor suggested by the prior art.

Claim 1 distinguishes over the combination of the final Office Action by reciting:

“an authorization checker responsive to an input from the agent to check whether an administrative contact for the active domain name has identified to the domain management system that the agent is authorized to change information about the active domain name in the shared registry system and, if the agent lacks authority to change information about the active domain name in the shared registry system, the authorization checker generating a communication to the administrative contact to determine if the agent should be given authority to change information about the active domain name in the shared registry system.”

The combination cited in the Office Action only allows a contact to make changes to domain name information and so would never provide a mechanism for an agent to be authorized to make such changes. Consequently, claim 1 and its dependent claims 2-6 distinguish over the cited art and are in condition for allowance.

Claim 7 distinguishes over the combination of the final Office Action by reciting:

“an authentication checker that determines, in response to the identification information, if a contact identified for the active domain name has authorized the operator to make changes to information within the zone file for the active domain name.”

The combination cited in the Office Action only allows a contact to make changes to domain name information and so would never provide a mechanism for an agent to be authorized to make such changes. Consequently, claim 7 and its dependent claims 8-20 distinguish over the cited art and are in condition for allowance.

The InterNIC Reference Does Not Suggest Modifying Anything About the Waters Patent's System and the Combination Does Not Teach Modifying Domain Name Information in the Shared Registry System

The Office Action combines the Waters patent with a document that the Office Action identifies as “InterNIC: Updating the domain name and associated records.” The InterNIC reference describes a conventional domain name registration system. How the InterNIC reference's process operates would be utterly unchanged whether or not it was implemented in the presence of the Waters patent's system. That is, the systems are independent and have no interaction with each other. The InterNIC registration process can be fully implemented and it would not change any aspect of the structure or operation of the Waters patent's system. As such, the InterNIC reference does not address any of the inadequacies of the Waters patent and the combination does not meet any of the claim limitations of claims 1 and 7.

In particular, the InterNIC reference cannot operate to cause the Waters patent's system to ever communicate changes to the shared registry system or to send a zone file to the shared registry system. Each of the independent claims 1 and 7, and thus the dependent claims as well, recite actions to change information in the shared registry system for an active domain name if the requesting agent or operator has been authorized.

The shared registry system has a particular definition that is understood in the art. As stated at page 3 of the application,

The shared registry system (SRS) is a system that permits multiple registrars to provide registration services for the .com, .net and .org domains. The system is a shared database that holds information about domain names and their authoritative name servers. The shared registry system updates the root servers with information about the domain names within the .com, .org and .net gTLDs about every twenty-four hours in typical operation. ... The SRS facilitates the updating of domain name and IP address information and also provides a utility for identifying the registrar that registered a domain name, when the entry to the SRS was created and the authoritative name servers for the domain name.

Nothing in the cited references discuss anything about changing information in the shared registry system. The Waters patent would never change anything in the shared registry system. The InterNIC reference would not do so in the way defined in the claims.

Claim 1 and its dependent claims consequently further distinguish over the cited references by reciting "the domain management system allowing an authorized agent to change information about the active domain name in the shared registry system." As discussed, the Waters patent's system would never change anything in the shared registry system and the InterNIC reference does not suggest modifying the Waters patent's system in any way.

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Similarly, claim 7 and its dependent claims distinguish over the cited art by reciting that "the domain management system causing the zone file with the changed information about the active domain name to update the shared registry system." Claim 7 and its dependent claims 8-20 distinguish over the art of record and are in condition for allowance.

Consequently, for this additional reason, claims 1-20 distinguish over the art of record and are in condition for allowance.

* * *

This response has treated the InterNIC reference as if it were prior art, but does not concede that fact. It is not clear whether and how the InterNIC reference might have been published or come to be known by the public. The InterNIC reference bears on its lower right hand corner the date "9/22/05." At a minimum this means the reference has been modified in ways that applicant cannot know. The InterNIC reference appears to be incomplete and unreliable.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310) 785-4670 to discuss the steps necessary for placing the application in condition for allowance.

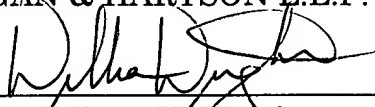
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Respectfully submitted,
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